MINIMUM FILING FEE: $100.00
FILE ORIGINAL & ONE COPY
TYPE OR PRINT IN BLACK INK
For explanation of entries required, see booklet "How to file an Application to Appropriate Water in California"

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

AMENDED AD31495

APPLICATION TO APPROPRIATE WATER

APPLICATION No. _____
(Leave Blank)

1. APPLICANT

Redwood Valley County Water District (707) 485-0679
(Name of applicant) (Telephone - between 8 a.m. and 5 p.m.)

P.O. Box 399 Redwood Valley CA 95470
(Mailing address) (City or town) (State) (Zip code)

2. SOURCE

a. The name of the source at the point of diversion is West Fork Russian River
(If unnamed, state that it is an unnamed stream, spring, etc.)
tributary to Main Stem Russian River Thence to the Pacific Ocean

b. In a normal year does the stream dry up at any point downstream from your project? YES ☐ NO ☒
If yes, during what months is it usually dry? From N/A to N/A
What alternate sources are available to your project should a portion of your requested direct diversion season be excluded because of a dry stream or nonavailability of water? None

3. POINTS of DIVERSION and REDIVERSION

a. The point(s) of diversion will be in the County of Mendocino
and within Assessor's Parcel Number (APN #) See Attachment #1

b.

List all points giving coordinate distances from section corner or other tie as allowed by SWRCB regulations i.e. California Coordinate System	Point is within (40-acre subdivision)	Section	Township	Range	Base and Meridian
See Attachment #2	¼ of ¼				
	¼ of ¼				
	¼ of ¼				

c. Does applicant own the land at the point of diversion? YES ☐ NO ☒

d. If applicant does not own the land at point of diversion, state name and address of owner and what steps have been taken to obtain right of access: See Attachment #3

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

3/25/04 $2,250 DC
8/9/04 $72,750.00 DC
4/11/03 $550.00 DC

4. PURPOSE of USE, AMOUNT and SEASON

a. In the table below, state the purpose(s) for which water is to be appropriated, the quantities of water for each purpose, and the dates between which diversions will be made. Use gallons per day if rate is less than 0.025 cubic foot per second (approximately 16,000 gallons per day).

PURPOSE OF USE (Irrigation, Domestic, etc.)	DIRECT DIVERSION				STORAGE		
	QUANTITY		SEASON OF DIVERSION		AMOUNT	COLLECTION SEASON	
	RATE (Cubic feet per second or gallons per day)	AMOUNT (Acre-feet per year)	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)	Acre-feet per annum	Beginning Date (Mo. & Day)	Ending Date (Mo. & Day)
Domestic, Municipal, Heat Control, Fire Protection, Irrigation	50CFS	2,500	11-1	6-30			
Domestic, municipal, Heat Control, Fire Protection	50CFS				5,000	11-1	6-30
Irrigation, Frost Protection	~~50CFS~~	2,500			5,000		

8/11/04 13x

b. Total combined amount taken by direct diversion and storage during any one year will be 7,500 acre-feet.

5. JUSTIFICATION of AMOUNT

a. IRRIGATION: Maximum area to be irrigated in any one year is 4700 acres.

CROP	ACRES	METHOD OF IRRIGATION (Sprinklers, flooding, etc.)	ACRE-FEET PER YEAR	NORMAL SEASON	
				Beginning Date	Ending Date
GRAPES	3000	Sprinkler & Drip	1200	MAR 15	NOV 1
PASTURE & HAY	1450	SPRINKLERS	300	MAY 1	NOV 1
PEARS	200	SPRINKLERS	100	MAR 15	OCT 1

b. DOMESTIC: Number of residences to be served is 5,500. Separately owned? YES ☒ NO ☐
Total number of people to be served is 20,000. Estimated daily use per person is 140 (Gallons per day)
Total area of domestic lawns and gardens is 22,000,000 square feet.
Incidental domestic uses are 1000 horses, cattle, sheep
(Dust control area, number and kind of domestic animals, etc.)

c. STOCKWATERING: Kind of stock N/A Maximum number N/A
Describe type of operation: N/A
(Feed lot, dairy, range, etc.)

d: RECREATIONAL: Type of recreation: Fishing ☒ Swimming ☒ Boating ☒ Other ☐

e. MUNICIPAL: (Estimated projected use)

POPULATION 5-Year periods until use is completed		MAXIMUM MONTH		ANNUAL USE		
PERIOD	POP.	Average daily use (gal. per capita)	Rate of diversion (cfs)	Average daily use (gal. per capita)	Acre-foot (per capita)	Total acre feet
Present	3000	350	1.65	180	0.2	615
2007	3100	350	1.66	180	0.2	625
2012	3200	350	1.67	180	0.2	635
2017	3300	350	1.68	180	0.2	645
2222	3400	350	1.69	180	0.2	655

Month of maximum use during year is Aug. Month of minimum use during year is JAN.

f. HEAT CONTROL: The total area to be heat protected is 3,000 net acres.
Type of crop protected is GRAPES
Rate at which water is applied to use is 30 gpm per acre.
The heat protection season will begin about July 15 (Date) and end about 9-1 (Date).

g. FROST PROTECTION: The total area to be frost protected is 3000 net acres.
Type of crop protected is Grapes
Rate at which water is applied to use is 55 gpm per acre.
The frost protection season will begin about MAR 15 (Date) and end about MAY 15 (Date).

h. INDUSTRIAL: Type of industry is N/A
Basis for determination of amount of water needed is N/A

i. MINING: The name of the claim is N/A. Patented [N/A] Unpatented [N/A]
The nature of the mine is N/A. Mineral to be mined is N/A
Type of milling or processing is N/A
After use, the water will be discharged into N/A (Name of stream)
in N/A (40-acre subdivision) ¼ of N/A ¼ of Section N/A, T N/A, R N/A, N/A B. & M.

j. POWER: The total fall to be utilized is N/A feet. The maximum amount of water to be used through the penstock is N/A cubic feet per second. The maximum theoretical horsepower capable of being generated by the works is N/A (Cubic feet per second x fall ÷ 8.8). Electrical capacity is N/A (Ap x 0.746 + efficiency) kilowatts at N/A % efficiency.
After use, the water will be discharged into N/A (Name of stream)
in N/A (40-acre subdivision) ¼ of N/A ¼ of Section N/A, T N/A, R N/A, N/A B. & M. FERC No. N/A

k. FISH AND WILDLIFE PRESERVATION AND/OR ENHANCEMENT: YES [ ] NO [X] If yes, list specific and habitat type that will be preserved or enhanced in item 10 of Environmental Information form APP-ENV.

l. OTHER: Describe use: None. Basis for determination of amount of water needed is N/A

6. PLACE OF USE

a. Does applicant own the land where the water will be used? YES [ ] NO [X] Is land in joint ownership? YES [ ] NO [X]
(All joint owners should include their names as applicants and sign the application.)
If applicant does not own land where the water will be used, give name and address of owner, and state what arrangements have been made with the owner. See Attachment #4

b. USE IS WITHIN (40-ACRE SUBDIVISION) See Attachment #5	SECTION	TOWNSHIP	RANGE	BASE & MERIDIAN	IF IRRIGATED	
					Number of acres	Presently cultivated (Y/N)
¼ of ¼						
¼ of ¼						
¼ of ¼						
¼ of ¼						
¼ of ¼						

(If area is unsurveyed, state the location as if lines of the public land survey were projected, or contact the Division of Water Rights. If space does not permit listing all 40-acre tracts, include on another sheet or state sections, townships and ranges, and show detail on map.)

7. DIVERSION WORKS

a. Diversion will be by gravity by means of N/A (Dam, pipe in unobstructed channel, pipe through dam, siphon, weir, gate, etc.)

b. Diversion will be by pumping from Sump, Offset Well Pump discharge rate 50CFS Horsepower 500
(Depth of the well 100') (Sump, offset well, channel, reservoir, etc.) (cfs or gpd)

c. Conduit from diversion point to first lateral or to offstream storage reservoir:

CONDUIT (Pipe or channel)	MATERIAL (Type of pipe or channel lining) (Indicate if pipe is buried or not)	CROSS SECTIONAL DIMENSION (Pipe diameter or ditch depth and top and bottom width)	LENGTH (Feet)	TOTAL LIFT OR FALL		CAPACITY (Estimate)
				Feet	+ or -	
pipe	metal/plastic	10"	200	200	+	2500
pipe	metal/plastic	20"	35,000	200	+	5000

d. Storage reservoirs: (For underground storage, complete Supplement 1 to APP, available upon request.)

Name or number of reservoir, if any	DAM				RESERVOIR		
	Vertical height from downstream toe of slope to spillway level (ft.)	Construction material	Dam length (ft.)	Freeboard Dam height above spillway crest (ft.)	Approximate surface area when full (acres)	Approximate capacity (acre-feet)	Maximum water depth (ft.)
See	Attachment #6						

e. Outlet pipe: (For storage reservoirs having a capacity of 10 acre-feet or more.)

Diameter of outlet pipe (inches)	Length of Outlet pipe (feet)	FALL (Vertical distance between entrance and exit of outlet pipe in feet)	HEAD (Vertical distance from spillway to outlet pipe in reservoir in feet)	Estimated storage below outlet pipe entrance (dead storage)
See	Attachment	#7		

f. If water will be stored and the reservoir is not at the point of diversion, the maximum rate of diversion to offstream storage will be 50 cfs. Diversion to offstream storage will be made by: ☒ Pumping ☒ N/A Gravity

8. COMPLETION SCHEDULE

a. Year work will start 2005 b. Year work will be completed 2010

c. Year water will be used to the full extent intended 2020 d. If completed, year of first use 2010

9. GENERAL

a. Name of the post office most used by those living near the proposed point of diversion is Redwood Valley, CA 95470

Does any part of the place of use comprise a subdivision on file with the Department of Real Estate? YES ☐ NO ☒

If yes, state name of the subdivision N/A

If no, is subdivision of these lands contemplated? YES ☐ NO ☒

Is it planned to individually meter each service connection? YES ☒ NO ☐ If yes, when? 2010

b. List the names and addresses of diverters of water from the source of supply downstream from the proposed point of diversion: Refer to STATE Water Rights Records/List

c. Is the source used for navigation, including use by pleasure boats, for a significant part of each year at the point of diversion, or does the source substantially contribute to a waterway which is used for navigation, including use by pleasure boats? YES ☐ NO ☒ If yes, explain

10. EXISTING WATER RIGHT

Do you claim an existing right for the use of all or part of the water sought by this application? YES ☐ NO ☒
If yes, complete table below:

Nature of Right (riparian, appropriative, groundwater)	Year of First Use	Purpose of use made in recent years including amount, if known	Season of Use	Source	Location of Point of Diversion
NONE	N/A	N/A	N/A	N/A	N/A

11. AUTHORIZED AGENT (Optional)

With respect to ☒ all matters concerning this water right application ☐ those matters designated as follows:

DALLAS Miller (707) 462-4645
(Name of agent) (Telephone number of agent between 8 a.m. and 5 p.m.)

P.O. Box 275 UKIAH CA 95482
(Mailing address) (City or town) (State) (Zip code)

is authorized to act on my behalf as my agent.

12. SIGNATURE OF APPLICANT

I (we) declare under penalty of perjury that the above is true and correct to the best of my (our) knowledge and belief.

Dated August 6, 2004, at Dallas R. Miller, California

Ms. Mr.
Miss. Mrs. _____
(Signature of applicant)

(If there is more than one owner of the project, please indicate their relationship.)

Ms. Mr.
Miss. Mrs. _____
(Signature of applicant)

Additional information needed for preparation of this application may be found in the Instruction Booklet entitled "HOW TO FILE AN APPLICATION TO APPROPRIATE WATER IN CALIFORNIA". If there is insufficient space for answers in this form, attach extra sheets. Please cross-reference all remarks to the numbered item of the application to which they may refer. Send original application and one copy to the STATE WATER RESOURCES CONTROL BOARD, DIVISION OF WATER RIGHTS, P.O. Box 2000, Sacramento, CA 95812-2000, with $100 minimum filing fee.

NOTE:
If this application is approved for a permit, a minimum permit fee of $100 will be required before the permit is issued.

WEST FORK RUSSIAN RIVER
Application # 31495

Attachment #1
Application item # 3 a

3a Point of Diversion will be in the county of---------- and APN'S

POD #1
Parcel # 16004022
County of Mendocino

POD #2
Parcel #16011002
County of Mendocino

POD #3
Parcel # 16112005
County of Mendocino

POD #4
Parcel #16517001
County of Mendocino

POD #5
Parcel #16825004
County of Mendocino

WEST FORK RUSSIAN RIVER
Application # 31495

8/13/04
Attachment #2
Application Item 36

POD No.	latitude (NAD 83)	Longitude (NAD 83)	Bearing & Distance From	Section	Township	Range	Base & Meridian
#1	39°18'46"N	123°13'03"W	N 44° E 2900 Ft. (SW corner Section 20)	NE X SW section 20 (projected)	17N	12W	MDBD
#2	39°18'31"N	123°12'56"W	N 70° E 2600 Ft (SW corner section 20)	SW X SE section 20 (projected)	17N	12W	MDBM
#3	39°17'12"N	123°12'36"W	N 47° E 5100 Ft (SW corner section 32	SE X NE section 32 (projected)	17N	12W	MDBM
#4	39°14'44"N	123°12'10"W	S 75° E 6500 Ft (NW corner section 17)	SW X NW section 16 (projected)	16N	12W	MDBM

Item 3d.

Redwood Valley County Water District

Post Office Box 399 • Redwood Valley, CA 95470 • (707) 485-0679

July 30, 2004

Whalen Toy
State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814

RE: Waters Rights Application #31495 & Ford Pond Reservoir

Dear Mr. Toy,

Redwood Valley County Water District's application #31495 is pending approval for diversion & storage of water from the West Fork Russian River. Our application lists the Ford Pond site and three other locations as possible reservoir sites for this project.

The District has made initial contact with the property owner of the Ford Pond site and a District representative will continue to diligently pursue an agreement to beneficially use the property at the Ford Pond location.

The Redwood Valley County District has the authority and will utilize Eminent Domain procedures to secure this property if necessary. In the event that this property is critical to the design of the water project or endangers the feasibility of the West Fork Russian River water project, the District will envoke the right of condemnation.

Sincerely,

REDWOOD VALLEY COUNTY WATER DISTRICT

Donald E. Butow, Chairman
Board of Directors

DEB:pb

Item 3d

Redwood Valley County Water District

Post Office Box 399 • Redwood Valley, CA 95470 • (707) 485-0679

August 4, 2004

Mr. Whalen Toy
State Water Resources Control Board
Division of Water Rights
1001 I Street, 14th Floor
Sacramento, CA 95814

Re: Water Rights Application #31495 & Lake Mendocino

Dear Mr. Toy,

Redwood Valley County Water District's Application #31495 is for winter flow water from the West Fork Russian River and it lists Lake Mendocino and three other locations as potential reservoir sites.

The Redwood Valley CWD has contacted the Chief of Operations, U.S. Army Corps of Engineers and discussed the possibility of water storage in Lake Mendocino. Mr. Mike Dillabough of the C.O.E. will be forwarding a letter addressing the storage of water in the Lake Mendocino flood control pool (water above 70,000 AF). He will point out that the water below 70,000 AF in Lake Mendocino is controlled by Sonoma County Water Agency, therefore the District will need to negotiate with Sonoma County Water Agency in order to store water in Lake Mendocino.

Redwood Valley CWD's representative, Mr. Roland Sanford of Mendocino County Water Agency, has made initial contact with Mr. Randy Poole from Sonoma County Water Agency and talked about the possibility of storing water in Lake Mendocino.

This is to advise you that the Redwood Valley CWD is currently negotiating with both the U.S. Army Corps of Engineers and the Sonoma County Water Agency.

Sincerely,

REDWOOD VALLEY COUNTY WATER DISTRICT

John W. Groth, Vice-Chair
Board of Directors

JG:lg

Attachment #4
West Fork Russian River

Application Item # 6. A

Places of use: **Redwood Valley CWD** – P. O. Box 399, Redwood Valley CA 95470
Calpella CWD – P.O. Box 115, Calpella CA 95418
Millview CWD – 3081 N. State Street, Ukiah CA 95482
City of Ukiah – 300 Seminary Ave, Ukiah CA 95482
Rogina Water Company – 1850 Talmage Road, Ukiah CA 95482
River Estates ~~Mutual Water District~~ – 151 Laws Ave, Ukiah CA 95482
Henry Station ~~Water District~~ – 681 Sanel Drive, Ukiah CA 95482
Hopland Utility District – 25 Center Street, Hopland CA 95449
Hopland Rancheria – P.O. Box 610, Hopland CA 95449
Russian River Flood Control & Water Conservation Improvement District
151 Laws Ave, Ukiah CA 95482

Item 6 Place of Use

The place of use is indicated on the project map and by the attachment for this item. The service area includes all of the water districts shown on the Project Map. The attachment lists them Individually. The Redwood Valley Water District is working with the Ukiah Valley Water Districts and desires to provide them with surplus water-water available after their needs are met.

WEST FORK RUSSIAN RIVER

Attachment # 5

For application Item #6 b

Place of Use: Refer to the Project map

All Water Districts shown on the Project Map are also listed as Place of Use for this application. And, each District service area and each District Boundary is identified and outlined in a distinct color for each District. The Project Map is printed on a USGS 7.5 Minute Quadrangle Map.

The Township and Range for each Water Districts shown on the Project Map and listed on the application are:

	Township	Range	Base Meridian
Redwood Valley County Water District	17N	13W	MDBM
	16N	12W	MDBM
Calpella County Water District	16N	12W	MDBM
Millview County Water District	15N	12W	MDBM
	16N	12W	MDBM
Ukiah Water District	15N	12W	MDBM
Rogina Water Co.	14N	12W	MDBM
	15N	12W	MDBM
Willow Water District (County)	14N	12W	MDBM
	15N	12W	MDBM
Hopland Water District (Public)	13N	12W	MDBM
	13N	13W	MDBM
Russian River Flood Control & Water Conservation Improvement District			MDBM
	12N	11W	MDBM
	13N	11W	MDBM
	13N	12W	MDBM
	14N	11W	MDBM
	14N	12W	MDBM
	15N	12W	MDBM
	16N	12W	MDBM
Henry Station ~~Water District~~	14N	12W	MDBM
Russian River Estates	14N	12W	MDBM

E-mail 5/23/04

Hopland PUD Boundary

Attachment # 6
WEST FORK RUSSIAN RIVER APPLICATION #31495

Attachment # 6
For application item #7 d
Includes maps

d. Storage Reservoirs:

Name or Number	Vertical height	Const. Materials	Dam Length	Freeboard	Surface Area	Capacity	Max Water Depth
(Granite Reservoir Pit/Berm)	14 feet	Earth	(Pit and berm-type)	3.0 feet	49 acres	1150 ~~1,050~~ AF	32 feet
(Sagehorn Pit/Berm)	57 feet	Earth	(Pit and berm-type)	3.0 feet	65 acres	2200 AF	57 feet
(Ford Pit/Berm)	37 feet	Earth	(Pit and berm-type)	3.0 feet	30 acres	445 ~~400~~ AF	37 feet
Lake Mendocino	157 feet	Earth	3,500 feet	3.0 feet	1995 acres	122,400 AF	157

9/9/04 CR
8/23/04
C-44 AP

Attachment # 7

WEST FORK RUSSIAN RIVER APPLICATION #31495

Attachment # 7
For application item # 7 e.

e. Outlet Pipe: (Storage Reservoirs)

Name or Number	Diameter outlet pipe	Length of Pipe	Fall	Head	Estimated storage below outlet pipe
(Granite Reservoir Pit/Berm)	none	none	none	none	none
(Sagehorn Pit/Berm)	none	none	none	none	none
(Ford Pit/Berm)	none	none	none	none	none
Lake Mendocino	12.5 feet	960 feet	10 feet	167 feet	none

State of California
State Water Resources Control Board
DIVISION OF WATER RIGHTS
P.O. Box 2000, Sacramento, CA 95812-2000
Info: (916) 341-5300, FAX: (916) 341-5400, Web: http://www.waterrights.ca.gov

APPLICATION TO APPROPRIATE WATER BY PERMIT
ENVIRONMENTAL INFORMATION

(THIS IS NOT A CEQA DOCUMENT)

APPLICATION NO. _____

The following information will aid in the environmental review of your application as required by the California Environmental Quality Act (CEQA). IN ORDER FOR YOUR APPLICATION TO BE ACCEPTED AS COMPLETED, ANSWERS TO THE QUESTIONS LISTED BELOW MUST BE COMPLETED TO THE BEST OF YOUR ABILITY. Failure to answer all questions may result in your application being returned to you, causing delays in processing. If you need more space, attach additional sheets. Additional information may be required from you to amplify further or clarify the information requested in this form.

PROJECT DESCRIPTION

1. Provide a description of your project, including but not limited to, type of construction activity, structures existing or to be built, area to be graded or excavated and project operation, including how the water will be used.

The West Fork Russian River Project will utilize winter flows by developing two diversion points with OFF STREAM wells that will be direct diverted into the District's Agriculture supply. Well and pump station will be built at the diversion site with appropriate sized pump, valves, and plumbing to connect to District's Agriculture line. Storage Reservoirs will be constructed, RAW WATER transmisson lines constructed and pipe lines to transport water for treatment and distribution FOR domestic use.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at http://www.swrcb.ca.gov".
Additional copies of this form and water right information can be obtained at www.waterrights.ca.gov.

GOVERNMENTAL REQUIREMENTS

Before a final decision can be made on your water right application, we must consider the information contained in an environmental document prepared in compliance with the requirements of CEQA. If an environmental document has been prepared, a determination must be made as to who is responsible for the preparation of the environmental document for your project. The following questions are designed to aid us in that determination.

2. Contact your county planning or public works department for the following information:

   a. Person contacted Woody Hudson, Steve Sandecki Date of contact 5/27/03
   Department Mendo Cty Planning & Bldg Dept Telephone (707) 463-4281

   b. Assessor's Parcel No. 160040022, 160110-2, 16112005, 165170-01, 168250-04

   c. County Zoning Designation Public Facilities

   d. Are any county permits required for your project? _____
   If yes, check appropriate space below:
   ✓ Grading Permit, _____ Use Permit, _____ Watercourse Obstruction Permit, _____ Change of Zoning, _____ General Plan Change, Other (explain):

   e. Have you obtained any of the required permits described above? NO
   If yes, provide a complete copy of each permit obtained.

3. Are any additional state or federal permits required for your project? Yes (i.e., from Federal Energy Regulatory Commission, U.S. Forest Service, Bureau of Land Management, Soil Conservation Service, Department of Water Resources (Division of Safety of Dams), Reclamation Board, Coastal Commission, State Lands Commission, etc.) For each agency from which a permit is required provide the following information:

   Permit type Appropriative Water Right
   Person (s) contacted Wilden Toy Agency SWRCB
   Date of contact 8-4-04 Telephone (916) 341-5408

4. Has any public agency prepared an environmental document for any aspect of your project? NO

   If so, please submit a copy of the latest environmental document (s) prepared, including a copy of the notice of determination adopted by the public agency. If not, explain below whether you expect that a public agency other than the State Water Resources Control Board will be preparing

an environmental document for your application or whether the applicant, if it is a California public agency, will be preparing the environmental document for your project: Redwood Valley County Water District (lead agency) to prepare environmental document.

Note: When completed, please submit a copy of the final environmental document (including notice of determination) or notice of exemption to the State Water Resources Control Board. Processing of your application cannot proceed until such documents are submitted.

5. Will your project, during construction or operation, generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or cause erosion, turbidity or sedimentation? NO If so, explain: _____

If yes or you are unsure of your answer, contact your local Regional Water Quality Control Board for the following information (See attachment for address and telephone number):

Will a waste discharge permit be required for your project? _____

Person contacted _____ Date of contact _____

What method of treatment and disposal will be used? _____

6. Have any archeological reports been prepared on this project, or will you be preparing an archeological report to satisfy another public agency? NO

Do you know of any archeological or historic sites located within the general project area? NO If so, explain: _____

- ENVIRONMENTAL SETTING

7. Attach **THREE COMPLETE SETS** of color photographs, clearly dated and labeled, showing the vegetation currently existing at the following locations:
   a. Along the stream channel immediately downstream from the proposed point(s) of diversion

   b. Along the stream channel immediately upstream from the proposed point(s) of diversion

   c. At the place(s) where the water is to be used

   Note: It is very important that you submit no less than three complete sets of photographs as required above. If less than three sets are submitted, processing of your application will be delayed until you furnish the remaining sets!

8. From the list given below, mark or circle the general plant community types which best describe those which occur within you project area (Note: See footnote denoted by * under Question 11 below):

Tree Dominated Communities
- Subalpine Conifer
- Red Fir
- Lodgepole Pine
- Mixed Conifer
  - Sierran Mixed Conifer
  - White Fir
  - Klamath Mixed Conifer
- Douglas-Fir
- Jeffrey Pine
- Ponderosa Pine
- Eastside Pine
- Redwood
- Pinyon-Juniper
- Juniper
- Aspen
- Closed-Cone Pine-Cypress
- Montane Hardwood-Conifer
- Montane Hardwood
- Valley Foothill Hardwood
  - Blue Oak Woodland
  - Valley Oak Woodland
  - Coastal Oak Woodland
- Valley Foothill Hardwood-Conifer
  - Blue Oak-Digger Pine
- Eucalyptus
- Montane Riparian
- Valley Foothill Riparian ✓
- Desert Riparian
- Palm Oasis
- Joshua Tree

Shrub Dominated Communities
- Alpine Dwarf-Shrub
- Low Sage
- Bitterbrush
- Sagebrush
- Montane Chaparral
- Mixed Chaparral ✓
- Chamise-Redshank Chaparral
- Coastal Scrub
- Desert Succulent Shrub
- Desert Wash
- Desert Scrub
- Alkali Desert Scrub

Herbaceous Dominated Communities
- Annual Grassland
- Perennial Grassland
- Wet Meadow
- Fresh Emergent Wetland
- Saline Emergent Wetland
- Pasture ✓

Aquatic Communities
- Riverine ✓
- Lacustrine
- Estuarine
- Marine

Developed Communities
- Cropland
- Orchard-Vineyard ✓
- Urban

Literature source: Mayer, K.E., and W.F. Laudenslayer, Jr., (eds). 1988. A Guide to Wildlife Habitats of California. California Department of Forestry and Fire Protection, Sacramento. 166 pp. (Note: You may view a copy of this document at our public counter at the address given at the top of this form or you may purchase a copy by calling the California Department of Fish and Game, Wildlife Habitat Relationships (WHR) Program at (916) 324-3812).

9. Provide below an estimate of the type, number, and size (trunk/stem diameter at chest height) of trees and large shrubs that are planned to be removed or destroyed due to implementation of the proposed changes. Consider all aspects of your application, including changes in diversion structures, water distribution and use facilities, and changes in the place of use due to additional water development.

Unknown- most likely none.

FISH AND WILDLIFE CONCERNS

10. Identify the typical species of fish which occur in the source(s) from which you propose to divert water and discuss whether or not any of these fish species or their habitat has been or would be affected by your proposed changes. (Note: See footnote denoted by * under Question 11 below):

Please See Attachment

11. Identify the typical species of riparian and terrestrial wildlife in the project area and discuss whether or not any of these species and/or their habitat has been or would be affected by your project through construction of water diversion and distribution works and/or changes in the place of water use. (Note: See footnote denoted by * below):

Please See Attachment

*Note: The purposes of Question 10 and 11 are to provide a preliminary assessment of the presence of typical plant and animal species in the area and whether these species might be affected by your project. Detailed site surveys to quantify populations of specific species or determine the presence of rare or endangered species may be required at a later date. It is very important that you answer these questions accurately. If you are unable to obtain appropriate answers from your local California Department of Fish and Game biologists (See attachment for address and telephone number) or you do not have adequate information or expertise to complete your answers, you should hire a fishery consultant and/or a wildlife consultant to review your project and prepare suitable answers for you. For information on available qualified fishery or wildlife consultants near you, consult your local telephone directory yellow pages under Environmental and Ecological Services, or call the California Environmental Protection Agency, Registered Environmental Assessor (REA) Program, at (916) 324-6881 or the University of California, Cooperative Extension Service (See your local telephone directory white pages).

12. Does your proposed project involve any construction or grading-related activity which has significantly altered or would significantly alter the bed or bank of any stream or lake? NO
If so, explain:

CERTIFICATION

I hereby certify that the statements I have furnished above and in the attached exhibits are complete to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge.

Date August 6, 2004 Signature Dallas R Miller

Item 10. / Item 11.

Using the California Wildlife-Habitat Relationships (WHR) System, the general or physical setting, for all five (5) of the proposed diversion sites, falls within an area typed as Urban/Orchard Vineyard and VOW (Valley Oak Woodland).

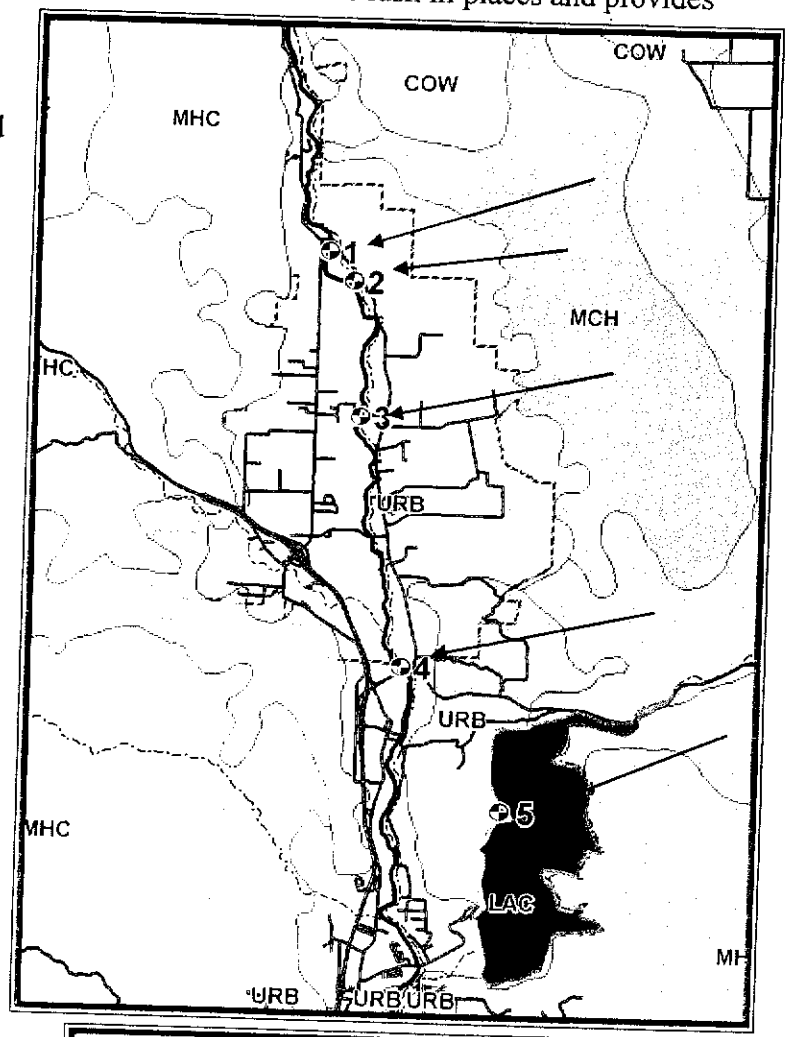
Within this urban/ Orchard Vineyard WHR type, the riverine (West Fork Russian River) corridor (where the proposed diversion sites are indicated) could more accurately typed Valley Foothill Riparian Habitat within which proposed division Sites 1, 2, 3 and 4 occur. The transition from the urban/agriculture WHR type to the adjacent riverine environment is quite abrupt. Site 5, Lake Mendocino WHR type is Lacustrine.

Typically, during the fall, winter and spring, the West Fork Russian River (WFRR) flows can become quite high and are able to support several runs of salmon (Chinook) and steelhead. The vegetation along the riparian corridor of the WFRR becomes lush in places and provides habitat for numerous common bird and mammal species.

This habitat provides food, water, and shelter during annual avian migrations and also provides for dispersal habitat of local nesting birds, and browse for land based mammals.

However, as the weather changes and mild spring temperatures are replaced with much warmer summer temperatures, this fork of the Russian River produces flows that become minimal and at times, intermittent, with water temperatures rising into the 70s°-80s° F mark. (Redwood Valley County Water District Fisheries Investigation of the Russian River at Latitude 39° 17' 9" and Longitude 123° 12' 37" by Wildlife Inventory Systems, 1999).

These localized water temperatures can at times exceed optimal and rise beyond the range of tolerance for salmonids.



WHR TYPE MAP OF THE WESTFORK POINTS OF DIVERSION

As the summer temperatures rise, habitat transforms from a lush riparian habitat to a drier habitat with mostly wild blackberries, willows and alders producing the only shade and cover.

Site #1

Site one (Site #1) is located at Latitude 39° 18' 46" N and Longitude 123° 13' 03W. The property Assessor Parcel Number (APN) is 16004022 and is currently owned by Rudolph and Linda Light.

Site #1 property is slightly undulating and slopes gently towards the West Fork of the Russian River. The property was formerly utilized for agriculture and now lays dormant.

Many common species of wildlife utilize these oak woodlands as a source of browse or acorns for food. Probably the most significant breeding bird species were European starling, California quail, plain titmouse, scrub jay, red-shoulder hawks, rufous-sided towhee, and many more (too many to list).

Site #2

Site #2 is located at Latitude 39° 18' 31" N and Longitude 123° 12' 56 W. The APN for Site #2 is 16011002 and the current owner of record is David Ford. This property lies just south of Site #1 and is for all intents and purposes like Site #1.

Site #3

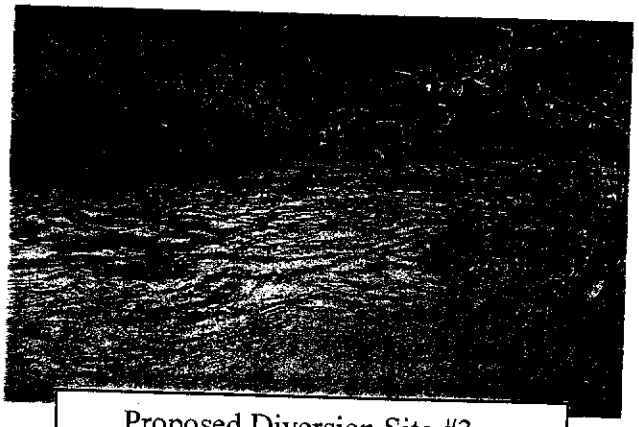
Site #3 is located at Latitude 39° 17' 12" N and Longitude 123° 12' 36W, APN 16112005. The current owner of record is Judith Butler, TTEE.

The immediate area surrounding Site #3 of the proposed diversion is mostly rural with some houses on acreage and a small organic nursery/soil enterprise next to the edge of the WFRR riverine habitat near proposed diversion Site #3.

Proposed Diversion Site #3

Both the Sites #3 and #4 were visited on May 2, 2003. During this visit the river was flowing strong with significant turbidity (due to suspended fines) and we were unable to observe any fish or amphibian species at this time.

The general bio-diversity or species richness of the Russian River involves a variety of more common aquatic and terrestrial species. A number of fish species (as well as amphibians) utilize the WFRR. During the summer of 1999 a brief aquatic investigation was conducted by WIS assessing about three hundred (300) feet of watercourse area above and below Site #3. The following fish species were directly observed at that time: California Roach (*Hesperoleucas symmetricus*), bluegill (*Lepomis macrochirus)*, green sunfish (*Lepomis cyanellus*), Sacramento sucker (*Catostomas occidentalis occidentalis),* Prickly sculpin (*Cottus asper ssp.)* and three spine stickleback (*Gasterosteus aculeatus ssp.).*



Proposed Diversion Site #3

Additional aquatic species detected during the '99 survey included Pacific brook lamprey (*Lampetra tridentate pacifica)* and crayfish (*Procamburis sp.)* Also, one species of amphibian, the yellow-legged frog (*Rana boylii)* was observed.

While no salmonids were directly observed, either during the initial site visit of May 2, 2003 or back in August 1999, steelhead (*Oncorhynchus mykiss*) and Chinook salmon (*Oncorhynchus tshawytscha)* are known to utilize this area of the Russian River. Salmonids would most likely use this part of the Russian River during the high flow months from November through March when they would be returning to their natal streams for spawning.

Proposed Diversion Site #3

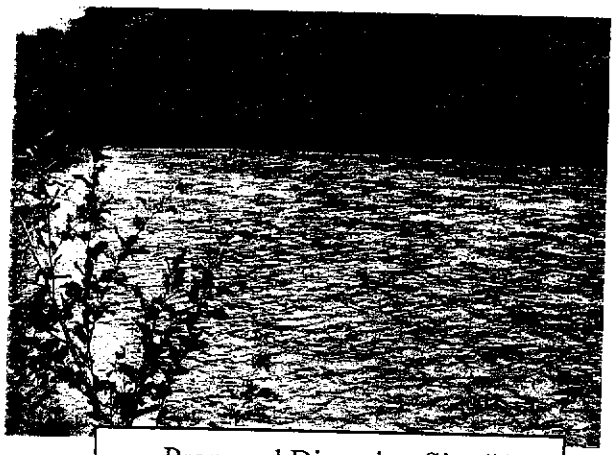
Local landowners have given anecdotes about the run of steelhead and salmon they have seen for years in the river. One landowner indicated that this year he saw quite a few fish, more so this year than in the past couple of years. He also noted seeing quite a few spawned out carcasses.

Site #4

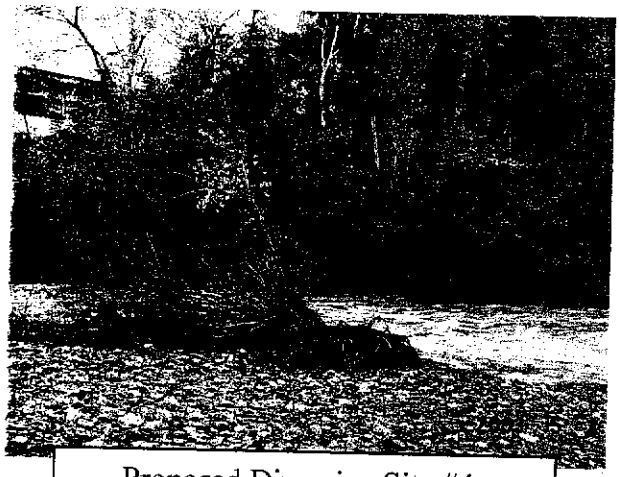
Site #4 property is located at Latitude 39° 14' 44" N and Longitude 123° 12' 10W with an APN of 16517001. The property is currently owned by H & W Vineyards, LLC.

The fourth proposed point of diversion, Site #4 was also visited on May 2, 2003. The general area surrounding Site #4 consists of a riverine (as in site #3) habitat very similar to site #3, but bordered closely by vineyard and fruit tree agriculture.

No fish or amphibians were observed in the areas upstream and downstream of the proposed point of diversion (Site #4), and as indicated previously, the water flowing past Site #4 was turbid and nothing below the first couple of inches of water could be observed.



Proposed Diversion Site #4



Proposed Diversion Site #4

There are many terrestrial and riparian wildlife species which may frequent the area around the proposed diversion sites. Wildlife species such as deer and rabbits may browse on the trees or vines; other wildlife such as ground squirrel and numerous birds may feed on fruits or nuts. Some wildlife (e.g., mourning dove, California quail) are more passive in their use of the habitat for cover and nesting sites.

Terrestrial species such as northern flicker, scrub jay, American crow, plain titmouse, blackbirds, and house finch are common. Other species such as band-tailed pigeons, magpie, western bluebird, American robin, varied thrush, northern mockingbird, cedar waxwing, yellow-rumped warbler, and black-headed grosbeak are among a few birds known to eat orchard crops and vineyard grapes.

Proposed Diversion Site #4

Also various species of migratory birds may use the area during their annual migrations Mammals which may also be present are desert cotton-tail, western gray squirrel, coyote, black bear, and raccoon.

The habitat as indicated above is varied and changes with the seasons as does its species richness. No determination can be made at this time as to the effect of the proposed diversions on the environment and/or its species until a more definitive project description can be provided (which is in development at this time). As the project is developed a more complete assessment will occur.

Site #5

Proposed diversion #5 is located on the shore of Lake Mendocino. Site #5 property is located at Latitude 39° 13' 13" N and Longitude 123° 10' 37W, APN #16825004. The owner of record is the United States of America. Lake Mendocino is used for recreational purposes and many people use the area to a large extent for boating, skiing and swimming.

Proposed Diversion Site #5

Proposed Diversion Site #5